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Tenth emergency special session
Agenda item 5

ILLEGAL ISRAELI ACTIONS IN OCCUPIED EAST JERUSALEM AND THE REST OF THE OCCUPIED PALESTINIAN TERRITORY

Algeria, Bahrain, Bangladesh, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sierra Leone, Sudan, Tunisia, United Arab Emirates and Yemen: draft resolution

The General Assembly,

Having received the report of the Secretary-General submitted in accordance with paragraph 10 of its resolution ES-10/3 of 15 July 1997,[1]

Having received at an earlier date the report of the Secretary-General submitted in accordance with paragraph 9 of its resolution ES-10/2 of 25 April 1997,[2]

Determined to uphold the purposes and principles of the Charter of the United Nations, international humanitarian law and all other instruments of international law, as well as relevant General Assembly and Security Council resolutions,

Reiterating the demands made in resolutions ES-10/2 and ES-10/3, namely:

(a) The immediate and full cessation of the construction in Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem,

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[1] A/ES-10/16-S/1997/798 and Add.1.

[2] A/ES-10/6-S/1997/494 and Corr.1 and A/ES-10/6/Add.1-S/1997/494/Add.1.

(b) That Israel accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to all the territories occupied since 1967, and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations,

(c) That Israel, the occupying Power, immediately cease and reverse all actions taken illegally, in contravention of international law, against Palestinian Jerusalemites,

(d) That Israel, the occupying Power, make available to Member States the necessary information about goods produced or manufactured in the illegal settlements in the Occupied Palestinian Territory, including Jerusalem,

Aware that Israel, the occupying Power, has not heeded any of the above-mentioned demands and that it continues with its illegal actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Having been informed in the report of the Secretary-General[2] of the responses of the High Contracting Parties to the Geneva Convention and of the collective responses transmitted through letters from the President of the Coordinating Bureau of the Movement of Non-Aligned Countries, the Secretary-General of the League of Arab States and the Presidency of the Council of the European Union, to the note sent by the Government of Switzerland in its capacity as the depository of the Convention,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects,

Having received a letter dated 20 August 1997 from the Permanent Observer Mission of Palestine to the United Nations,[4] informing about specific cases of assistance by individuals for illegal settlement activities,

Gravely concerned at the continuing deterioration of the Middle East peace process and the lack of implementation of the agreements reached,

Reaffirming that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activities, and the practical results thereof, cannot be recognized irrespective of the passage of time,

1. Condemns the failure of the Government of Israel to comply with the provisions of resolutions ES-10/2 and ES-10/3, in particular the continuation of the building of a new settlement in Jebel Abu Ghneim to the south of Occupied East Jerusalem;

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[3] United Nations, Treaty Series, vol. 75, No. 973.

[4] A/ES-10/14.

2. Reiterates its call for the cessation of all forms of assistance and support for illegal Israeli activities in the Occupied Palestinian Territory, including Jerusalem, in particular settlement activities;

3. Reiterates also its recommendation to the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to take measures on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention, as well as its recommendation to Member States to actively discourage activities which directly contribute to any construction or development of Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, as these activities contravene international law;

4. Reiterates its recommendation that the High Contracting Parties to the Geneva Convention convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect in accordance with common article 1;

5. Requests the Government of Switzerland, in its capacity as the depository of the Geneva Convention, to undertake the necessary preparatory steps, including the convening of a meeting of experts in order to follow up on the above-mentioned recommendation, as soon as possible but not later than February 1998;

6. Requests also the Government of Switzerland to invite the Palestine Liberation Organization to participate in the above-mentioned conference and any preparatory steps for that conference;

7. Calls for reinjecting momentum into the stalled Middle East peace process, and for the implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, as well as for the upholding of the principles of the process, including the exchange of land for peace;

8. Decides that, in case of the continuous lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2 and ES-10/3, it shall reconsider the situation with a view to making further appropriate recommendations to the States Members of the United Nations in accordance with its resolution 377 A (V) of 3 November 1950;

9. Decides to adjourn the tenth emergency special session temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States.